

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	David Jonathan Hall	Group Art Unit:	2884
Serial No.:	10/577,527	Confirmation	9606
Filed:	March 2, 2007	Examiner:	Jessica Eley
For:	Customer No. 29540		
	<b><u>TIME-DOMAIN METHOD AND APPARATUS FOR DETERMINING THE DEPTH AND CONCENTRATION OF A FLUOROPHORE IN A TURBID MEDIUM</u></b>		

**SUPPLEMENTAL COMMUNICATION**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant's attorney received telephone communication from the USPTO regarding the amendment filed on March 15, 2010. An additional payment was stated to be due regarding the response. It was also noted by the USPTO that the attorney which filed the March 15, 2010 amendment, Mr. Keith McWha (reg. no 44, 235), did not appear under the firm's customer number. The March 15, 2010 amendment was entered by the USPTO in accordance with 37 CFR §1.34 and MPEP §714.01(b).

In response to the above USPTO communication, authorization is given to charge any fee deficiency related to this application and the response of March 15, 2010 to the below deposit account. In addition, attached is a copy of PTO/SB/124A adding Mr. McWha to the below customer number that was filed today with the EBC at the USPTO.

**CONCLUSION**

If any issues remain, or if the Examiner has any suggestions for expediting allowance of this application, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below. Favorable reconsideration is respectfully requested.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any fees which may be required for consideration of the Amendment filed March 15, 2010 or credit any overpayment to Deposit Account No. **50-1145-4500**, Order No. 703734.000050. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,  
DAY PITNEY, L.L.P.

Dated: April 19, 2010

By:



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T, David Bomzer  
Registration No. 48,770

**Correspondence Address:**

DAY PITNEY, L.L.P.  
7 Times Square  
New York, NY 10036-7311  
(212)297-2477 Direct Telephone  
(212)297-5800 Firm Telephone  
(212)916-2940 Facsimile

## Request for Customer Number Data Change

**Address to:**  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner for Patents:

Please record the following data changes to **Customer Number**:

29540

☐ Please change Address to:

<b>Firm or Individual Name</b>	DAY PITNEY LLP			
<b>Address</b>	7 TIMES SQUARE			
<b>City</b>	NEW YORK	<b>State</b>	NY	<b>Zip</b> 10036-7311
<b>Country</b>	USA			
<b>Telephone</b>	212-938-8215		<b>Email</b>	KMCWHA@DAYPITNEY.COM

☒ Please delete the following practitioner registration number(s) from the Customer Number indicated above:


33180				

☒ Please add the following practitioner registration number(s) to the Customer Number above:

24419	32200	36425	44235	48770
50578	57818	62082	62540	44291

☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto (PTO/SB/124B or equivalent)

**Request Submitted by:** (must be a person, e.g. registered practitioner, associated with the customer number shown above)

<b>Firm Name (if applicable)</b>	DAY PITNEY LLP		
<b>Signature</b>			
<b>Name of Person Submitting request</b>	T. DAVID BOMZER		<b>Registration No.</b> 48770
<b>Telephone Number</b>	212-297-2477	<b>Date</b>	APRIL 19, 2010

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Request for  
Customer Number  
Data Change****Practitioner Registration Number  
Supplemental Sheet**

Page

of

Pages

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Changes to Customer Number:☐ Please delete the following practitioner registration number(s) from the Customer Number indicated above:


☐ Please add the following practitioner registration number(s) to the Customer Number indicated above:


Firm Name

Date



Additional supplemental sheet(s) attached hereto

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## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.